



# PLANNING AND ZONING COMMISSION

Thursday, March 2, 2017 - 7:00 PM

Formal Meeting

Emma Harvat Hall

Iowa City City Hall

410 E. Washington Street

## AGENDA:

### A. Call to Order

### B. Roll Call

### C. Public Discussion of Any Item Not on the Agenda

### D. Development Item

Discussion of an application submitted by 1201 Gilbert, LLC, 1225 Gilbert, LLC and 1301 Gilbert, LLC for a preliminary plat of The Crossings, a 7-lot, 8.54-acre commercial subdivision located west of Gilbert Street, between 1<sup>st</sup> Street and Highway 6. (SUB16-00013)

### E. Zoning Item

Discussion of an application submitted by Kevin Hanick for a rezoning of approximately 10.26 acres from Interim Development Single Family (ID-RS) to Low Density Multifamily (RM-12) zone for property located north of Scott Boulevard between Hickory Heights Lane and First Avenue. (REZ16-00008)

### F. Code Amendments

1. Consider an amendment to Title 14, Zoning Code, Chapter 5, Site Development Standards, Article B: Sign Regulations, to allow fascia (building) sign size in the CB-2, CB-5, and CB-10 Zones to be based on the length of the sign wall.
2. Consideration of amendments to Title 14, Zoning Code, Chapter 5, Site Development Standards, Article A: Off Street Parking and Loading, to allow the parking requirement to be reduced by the Building Official in certain circumstances, and to allow modification to the structured parking placement standards for non-commercial uses.

### G. Consideration of Meeting Minutes: February 2, 2017

### H. Planning & Zoning Information

### I. Adjournment

## STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Karen Howard

Item: SUB16-00013  
The Crossings

Date: March 2, 2017

### GENERAL INFORMATION:

Applicants: 1201 Gilbert, LLC, 1225 Gilbert LLC, 1301 Gilbert, LLC  
3855 Locust Ridge Road  
North Liberty, IA 52317

Property Owners: (Same as applicants)

Requested Action: Preliminary plat approval

Purpose: Development of an 8.49-acre, 7-lot mixed-use  
subdivision

Location: West of S. Gilbert Street between 1<sup>st</sup> Street and  
Highway 6

Size: Approximately 8.49 acres

Existing Land Use and Zoning: Commercial, RFC-SG

Surrounding Land Use and Zoning: North: Commercial, CI-1  
South: Commercial, CI-1 and CC-2  
East: Commercial, CI-1  
West: Riverfront Crossings Park, P-1

Comprehensive Plan: Riverfront Crossings Master Plan

Neighborhood Open Space District: Near Southside (C7)

File Date: February 10, 2017 (complete application received)

45 Day Limitation Period: March 27, 2017

### BACKGROUND INFORMATION:

The applicants, 1201 Gilbert, LLC, 1225 Gilbert LLC, and 1301 Gilbert LLC, have requested preliminary plat approval for The Crossings, an approximately 8.49-acre, 7-lot mixed-use subdivision located on the west side of South Gilbert Street between 1<sup>st</sup> Street and Highway 6 abutting the new Riverfront Crossings Park. The subdivision is intended to facilitate the redevelopment of the subject properties according to the Riverfront Crossings Master Plan. The properties were recently rezoned to Riverfront Crossings – South Gilbert (RFC-SG). The subdivision will establish a new lot and block pattern to create an urban, mixed-use neighborhood next to the new Riverfront Crossings Park. The subdivision will need to be final platted in phases. Pleasant Valley Nursery ceased operations at the end of 2016 and buildings on the site will be razed to make room for a 3-story, mixed use building with ground floor commercial and upper floor apartments. The new building will front on Gilbert Street and Highway 6. Big Grove Brewery will be opening this spring and the remainder of the lot behind the

brewery will be converted into a large outdoor service area that will extend to a new trail along the east side of Ralston Creek. The remaining lots in the subdivision will not be developed until Alexander Lumber moves to a new location.

### ANALYSIS:

**Zoning:** The property is zoned Riverfront Crossings – South Gilbert (RFC-SG). This zone is intended for high intensity mixed-use development in buildings with active ground floor uses opening onto pedestrian-friendly streetscapes. Other than the building at 1225 S. Gilbert Street, which is being repurposed as a craft brewery and restaurant, the remaining buildings on the subject properties will eventually be demolished and redeveloped with buildings that meet the new zoning requirements. The zoning allows high density residential development and a mix of commercial uses appropriate to an urban neighborhood, including retail, restaurant, and office uses.

**Compliance with Comprehensive Plan:** The subject properties are located in the South Gilbert Subdistrict of Riverfront Crossings. The master plan and subarea plan highlight the defining features of this subdistrict, including the potential for mixed-use buildings along a more pedestrian-oriented Gilbert Street and buildings that front on tree-lined pedestrian streets that provide views and access to the new riverfront park. In addition, the plan highlights the importance of restoring Ralston Creek and making it an attractive environment for both the public and for future residents. There is also an emphasis on encouraging green infrastructure and best management practices with regard to managing stormwater. The two pedestrian streets are envisioned not only as means of pedestrian circulation, but also as a possible location for bioswales that would filter and naturally clean stormwater run-off from adjacent lots before it outlets into Ralston Creek. The submitted preliminary plat creates a new lot and block pattern and provides for dedication of land for a more pedestrian-oriented street network to support the proposed redevelopment of these properties according to the Riverfront Crossings Master Plan.

**Compatibility with neighborhood:** The proposed subdivision will facilitate redevelopment that is more compatible with the new Riverfront Crossings Park that is being developed along the western boundary of the property. Redevelopment according to this new subdivision plat will likely be a catalyst for redevelopment of other properties in the vicinity according to the vision adopted with the Riverfront Crossings Master Plan.

**Subdivision and street design:** With Riverfront Crossings zoning, every new building has to have frontage on a street. Therefore, the subdivision is divided into 7 development lots bounded by an extension of 2<sup>nd</sup> Street, a new pedestrian street along Ralston Creek, Gilbert Street, and Highway 6. Lots 1, 2, 5, and 6 will have primary frontage along Gilbert Street. Lots 3 and 4 will have primary frontage along the private pedestrian street portion of 2<sup>nd</sup> Street and along the public Ralston Creek pedestrian street, represented as Outlot A and B. 2<sup>nd</sup> Street will be platted as a private street (Outlot G) and will provide vehicular access from Gilbert Street west to a north-south private alley shown as outlots F and H, on the plat. The portion of 2<sup>nd</sup> Street west of the private alley will be platted according to the private pedestrian street standards in the Riverfront Crossings form-based code. The vehicular portion of 2<sup>nd</sup> Street will have an 80-foot ROW to allow for angled or perpendicular on-street parking. The pedestrian street portion of 2<sup>nd</sup> Street will be 60 feet wide and include a 20-foot wide sidewalk that will also serve as a fire lane for emergency vehicle access. This pedestrian street will also provide a public pedestrian route to the new Riverfront Crossings Park and to the public trail system along Ralston Creek. Lot 7 has primary frontage on the Ralston Creek pedestrian street, but will likely need to rely on the extension of 1<sup>st</sup> Street, which will be located on the abutting property to the north and outside the boundaries of this subdivision, to provide adequate emergency vehicle access. Until such time as 1<sup>st</sup> Street is extended, development of lot 7 will be restricted, if emergency vehicle access cannot otherwise be provided. When 1<sup>st</sup> Street is extended, lot 7 will also have frontage on 1<sup>st</sup> Street and emergency vehicle access and fire protection can be provided by a 20-foot fire lane similar to what is shown on this

plat for the pedestrian street portion of 2<sup>nd</sup> Street.

Given that the right-of-way for Gilbert Street is currently not wide enough to provide the pedestrian environment necessary to support the anticipated increase in commercial and residential density made possible with Riverfront Crossings zoning, the applicants entered into a conditional zoning agreement that requires dedication of additional land along Gilbert Street to increase the right-of-way according to the street cross-section illustrated in the Riverfront Crossings Plan. The land intended for dedication is shown on the proposed plat as Outlots C, D, and E.

A 30-foot stream corridor buffer is required along Ralston Creek according to the Sensitive Areas Ordinance. This buffer area will be dedicated to the City and developed with a trail according to the Ralston Creek pedestrian street standards in the Riverfront Crossings form-based code. The trail widens at the intersection of 2<sup>nd</sup> Street to provide a fire truck and emergency vehicle turn-around. When Ralston Creek is restored as a part of the first phase of development of Riverfront Crossings Park, a bridge will be extended across the creek to provide a public pedestrian connection between 2<sup>nd</sup> Street and the new park.

Similar to other subdivisions, the developer will be responsible for developing the trail, sidewalks, streets, alley and other subdivision infrastructure along the new street network, with the exception of the trail along Highway 6, which will be constructed as a part of the Riverfront Crossings Park project. As a part of the public improvements being made by Big Grove Brewery with redevelopment of that site, the developer will extend the trail and provide pedestrian-scale lighting within the new Ralston Creek pedestrian street along the west boundary of Lot 2 to its connection with the Highway 6 trail. With regard to Gilbert Street, the developer will be required to dedicate Outlots C, D, and E at the time of the first final plat. New sidewalks and street trees will be required as properties redevelop along Gilbert Street or may be installed as a part of a larger City project to improve the Gilbert Street corridor according to the goals of the Riverfront Crossings Master Plan. It is anticipated that Lot 1 will be redeveloped with a new mixed-use building prior to the City making improvements to Gilbert Street. In that case, a new sidewalk will be required along the new ROW line established on Gilbert Street and a temporary sidewalk connection will be required across the Gilbert Street frontage of Lot 2 (Big Grove Brewery) to connect with the sidewalk that currently extends north along the Alexander Lumber property. This will ensure there is a continuous north-south sidewalk connection for new residents, commercial tenants, and customers for this new building.

**Environmentally Sensitive Areas:** Ralston Creek is a regulated stream corridor and a 30-foot stream corridor buffer is required. This buffer (Outlots A and B), will be dedicated to the City and developed as a pedestrian street according to the Riverfront Crossings form-based development code.

**Traffic implications:** One of the primary goals of the Riverfront Crossings Plan is to improve the public realm, the public spaces along the streets and public open spaces in order to create a safe, walkable and pleasant environment for high density residential living. South Gilbert Street is currently not very hospitable to pedestrians or bicyclists, with missing sidewalk connections, lack of street trees or a buffer between traffic and pedestrians and an excessive number of driveways that interrupt sidewalks and create traffic congestion and confusion along this arterial street. Many of the curb cuts along the frontage of this subdivision do not meet the City's access management standards. With the proposed subdivision two of these driveways will be closed and the long uncontrolled curb cut in front of the former Pleasant Valley site (Lot 1 on the plat) will be closed. The intent with this subdivision is to repair the street grid by extending 2<sup>nd</sup> Street and eventually 1<sup>st</sup> Street and allowing only essential driveways to remain to provide for traffic circulation and loading and unloading for Big Grove Brewery on Lot 2 and for the new mixed-use building proposed for Lot 1. The plat illustrates a driveway on the north side of Lot 2 that provides access to the loading dock and parking area for Big Grove Brewery. Lot 1 will share a driveway with Lot 2 that aligns with 3<sup>rd</sup>

Street, which meets the City's access standards. The applicants are also requesting a right-in / right-out drive on the south side of the Lot 1 in order to provide for additional access to the parking lot planned in front of the building along Highway 6. The location and design of this driveway access point is closer to the intersection with Highway 6 than would typically be allowed according to the City's access management standards, but the City has the discretion to modify these standards in certain circumstances. The location and design of this proposed driveway will be reviewed by the City prior to final plat to ensure that it meets traffic safety and circulation standards.

**Neighborhood parkland or fees in lieu of:** The Neighborhood Open Space Requirements require approximately 1 acre of dedicated open space or fees in lieu of for the portion of the subdivision that includes residential dwelling units. The developer is dedicating approximately 0.5 acres of land with the dedication of the 30-foot buffer area along the east side of Ralston Creek. In addition, the developer will be constructing a 60-wide pedestrian street (approximately .33 acres) that will provide public access and open space amenities along a main route to the new Riverfront Crossings Park. The construction costs of building the public trail and providing pedestrian-scale lighting along the east side of Ralston Creek will likely more than satisfy the fee that would otherwise be required for the remain 0.17 acres of required neighborhood open space requirement. Final calculation of the open space requirement and fee based on the cost of construction of the open space improvements along the Ralston Creek will be determined at the time of final plat.

**Storm water management:** The applicant has provided stormwater management calculations that indicate that there will be no net increase in stormwater run-off with the redevelopment of the subdivision. In addition, the developer has agreed to include green infrastructure within the 2<sup>nd</sup> Street pedestrian street, along Highway 6, and along the Ralston Creek pedestrian street to improve water quality before run-off enters Ralston Creek to meet the goals of the Riverfront Crossings Master Plan to use stormwater best management practices to control and cleanse run-off and to protect Ralston Creek and restore it as a naturally functioning waterway. All necessary storm sewer easements shall be delineated on the final plat.

**Water and Sanitary Sewer:**

With new high density residential and mixed use buildings proposed with frontage along Ralston Creek, public water main will be extended along this new public pedestrian street to serve lots 3, 4, and 7 and will allow for future extension to the abutting property to the north. Sanitary sewer will be routed south along the east bank of Ralston Creek to connect with the sanitary sewer along Highway 6.

**STAFF RECOMMENDATION:**

Staff received the most recent revision of the preliminary plat too late for detailed review by engineering and legal staff. However, it is anticipated that any minor discrepancies or deficiencies will be resolved prior to the Commission meeting on Thursday. Therefore, staff recommends approval of SUB16-00013, a preliminary plat of The Crossings, an approximately 8.49-acre, 7 lot, mixed-use subdivision located west of Gilbert Street, between 1<sup>st</sup> Street and Highway 6, contingent upon resolution of any deficiencies or discrepancies.

**ATTACHMENTS:**

1. Location Maps
2. Preliminary Plat

Approved by:   
 John Yapp, Development Services Coordinator,  
 Department of Neighborhood and Development Services



0 0.0225 0.045 0.09 Miles

# SUB16-00013 The Crossings



Prepared By: Marti Wolf  
Date Prepared: Feb. 2017



An application submitted by 1201 Gilbert, LLC, 1225 Gilbert, LLC and 1301 Gilbert, LLC, for The Crossings, an 7-lot, 8.54-acre commercial subdivision at 1201, 1225, and 1301 South Gilbert Street



0 0.0225 0.045 0.09 Miles

# SUB16-00013 The Crossings

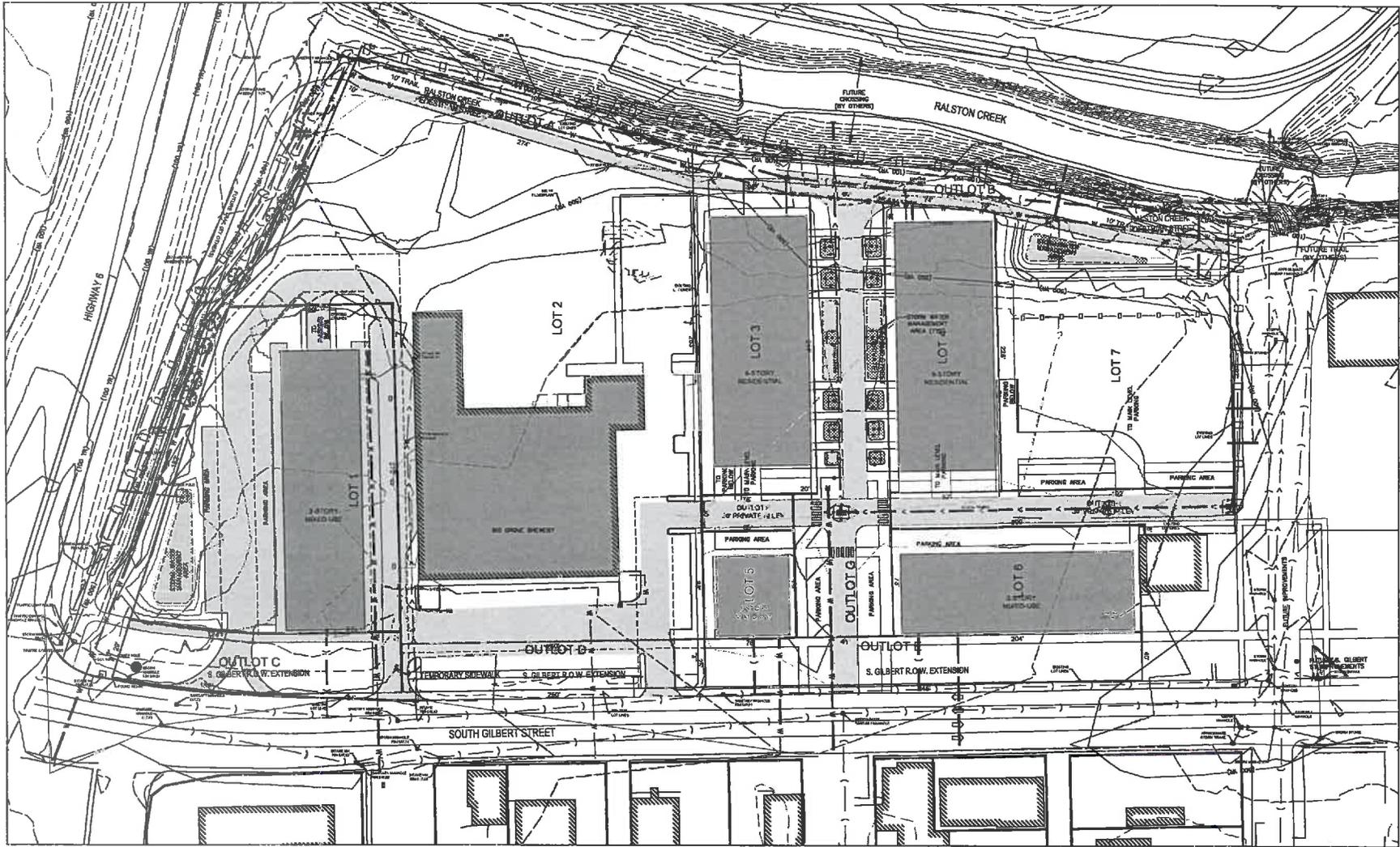


Prepared By: Marti Wolf  
Date Prepared: Feb. 2017



An application submitted by 1201 Gilbert, LLC, 1225 Gilbert, LLC and 1301 Gilbert, LLC, for The Crossings, an 7-lot, 8.54-acre commercial subdivision at 1201, 1225, and 1301 South Gilbert Street





1 GRADING PLAN  
SCALE: 1" = 40'-0"



PROJECT NUMBER  
**16-0102**

PROJECT  
**THE CROSSINGS  
RE-SUBDIVISION  
PRELIMINARY PLAT**

**hbk**  
ENGINEERING

HBK ENGINEERING, LLC  
604 S. GILBERT ST.  
IOWA CITY, IA 52208  
PHONE: (319) 338-7557  
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IOWA DEPARTMENT  
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OWNER:  
1225 GILBERT, LLC &  
1201 GILBERT, LLC &  
1301 GILBERT, LLC  
3855 LOCUST RIDGE ROAD  
NORTH LIBERTY, IOWA

DEVELOPER:  
1225 GILBERT, LLC &  
1201 GILBERT, LLC &  
1301 GILBERT, LLC  
3855 LOCUST RIDGE ROAD  
NORTH LIBERTY, IOWA

ATTORNEY:  
TIM GRADY  
LEFF LAW FIRM  
IOWA CITY, IOWA

TITLE  
GRADING PLAN

PAGES: 2 OF 2  
DATE CREATED: 11/15/16

DRAWING LOG			
DATE	ISSUED FOR	BY	CR
11/15/16	OWNER	SP	NS
11/17/16	RESPONSE TO CITY	SP	NS
11/21/16	RESPONSE TO CITY	SP	NS
11/21/16	RESPONSE TO CITY	SP	NS
11/21/16	RESPONSE TO CITY	SP	NS

PROJECT NUMBER  
**STEVE LONG**

DATE  
**2 OF 2**



# CITY OF IOWA CITY MEMORANDUM

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Date: February 24, 2017  
To: Planning and Zoning Commission  
From: Bob Miklo, Senior Planner  
Re: REZ16-00008 Larson Subdivision

At your February 2 meeting, the Commission recommended approval of the rezoning of approximately 10.26 acres located north of Scott Boulevard between Hickory Heights Lane and First Avenue from Interim Development (ID-RS) to Low Density Multifamily (RM-12), conditioned on general compliance with the concept plan showing 54 dwelling units. Staff had recommended this condition to help assure the future development is consistent with the concept plan which avoids development within the wooded ravines present on the property.

The applicant has requested a modification to the condition to increase the number of units from 54 to 60. The additional units would be created by converting some of the 2-bedroom units to 1-bedroom units. The overall exterior design and building placement is not proposed to change (see attached letter from Mark Seabold for more details).

The intent of the condition to preserve the wooded ravines would be retained. Staff recommends approval of the requested change.

#### Attachments:

1. Letter from Mark Seabold
2. Revised concept plan showing 60 units

February 23, 2017

City of Iowa City  
ATTN: Mr. John Yapp  
Planning & Zoning Commission  
410 East Market Street  
Iowa City, Iowa 52240

RE: Larson Farm Property

Planning & Zoning Commission:

Thank you for your review and our discussion of the Rezoning of the Larson Farm property with Kevin Hanick at the February 2, 2017 Commission meeting (REZ16-00008).

We have begun working further through the design and market study of this project and we would like to request a slight adjustment of your recommendation to City Council.

In our recent design conversations, Kevin mentioned changing some of the two bedroom condominiums to two, one bedroom units. This would increase the total number of units but would keep bedrooms at the same amount. The buildings appearance, overall square footage and massing would stay the same. This would be an internal change to the building plan. Our first thought was to the language of your recommendation to restrict this development to 54 units. A unit type change would change this number from 54 to 57 if we subdivided three, two bedroom units to six, one bedroom units (+3 units).

Not knowing what market conditions could change between now and when the project is completed or even in the future of this development, we would like to request the recommendation be changed to:

"Recommendation of rezoning the 10.26 acres located north of Scott Boulevard east of Hickory Heights Lane and First Avenue from Interim Development (ID-RS) to Low Density Multifamily (RM-12) with a maximum of 60 units."

With a zoning of RM-12 with 10.26 acres this is still less than half of the number of units allowed by zoning. We feel increasing the maximum amount to 60 gives some flexibility for this building to reflect a mix of apartment types that can be modified through design based on market conditions.

Thank you again for your consideration and kind words. We can attend the next Planning and Zoning meeting on March 2, 2017 if necessary to discuss this adjustment.

Sincerely,

SHIVE-HATTERY, INC.



Mark T. Seabold, AIA

MTS/atf

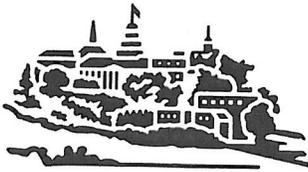




Maximum of 60 units

aerial view from north

**Kevin Hanick - Scott Boulevard development concept**  
2201 N Dubuque Rd, Iowa City, Iowa  
February 2, 2017



# CITY OF IOWA CITY MEMORANDUM

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Date: February 24, 2017

To: Planning & Zoning Commission

From: Jann Ream, Code Enforcement Specialist

Re: Consider an amendment to City Code Section 14-5B-8E, Sign Standards in the CB-2, CB-5 and CB-10 zones to allow fascia (building) sign size to be based on the sign wall

**Introduction:** In October of 2016, The Planning and Zoning Commission considered and approved several amendments to the Iowa City Sign Regulations in order to better implement the recommendations of the Downtown District Storefront and Signage Guidelines and to bring the sign code into compliance with a U.S. Supreme Court decision regarding the regulation of signage. This was a significant revision of the sign code regulations.

**Background:** The new amendments have been in place for approximately three months and, as with any broad change to zoning regulations, deficiencies are revealed when applied to real world situations. The regulation under consideration is the fascia (building) sign allowance in the CB zones. The sign regulations of the CB zones are also referenced and apply in most of the Riverfront Crossings districts. Before the code amendments, the fascia sign allowance was 15% of the sign wall area. With high rise buildings becoming more prevalent downtown, there was concern that this standard could allow very large signs on a multi-story buildings. The new standard (which was recommended by the design consultants who wrote the Downtown District Storefront and Signage Guidelines) is 1.5 times the length of street facing façade. So, for instance, a building with a storefront of 25ft would be allowed 37.5 square feet of signage. This standard works well for the typical buildings in the downtown area – buildings that abut one another along a frontage. These buildings only have one wall that is visible and appropriate for signage.

However, there are proposed buildings and buildings under construction in the CB-10 zone and in Riverfront Crossings that are not typical storefront buildings with only one visible street-facing wall. For example, the Hilton Garden Inn at 328 S. Clinton Street will abut an alley and is taller than adjacent buildings, making visible side elevations that are suitable for fascia signage. The street facing façade (west elevation) is 62ft long which would only allow 93 square feet of fascia signage on the entire 12 story building. Both the north and south walls (which are not street facing) are appropriate for signage but the current regulation severely limits what could be permitted. These smaller signs would not be proportional to the building and would be inadequate in terms of visibility. The proposed signage for the Hilton Garden is attached for your reference. Other buildings that could be affected by this limitation are the Chauncey (currently under construction at 404 E. College Street), and The Park @ 201, 201 E. Washington Street.

**Discussion of Solutions:** The language for fascia sign allowance in the CB zones could amended to “1.5 times the length of the building wall”. Language would need to be added to other provisions for fascia signs to ensure that these sign size provisions relate to the specific location of the sign. This allows for each building wall to be treated separately (similar to the

previous standard) but still controls the size so that overly large signs and signs not proportional to the building wall are eliminated as a possibility. The storefront buildings typical to the downtown area would not be affected by this change but it would allow for adequate and proportional signage on those buildings with more than one visible wall –even if those walls are not street facing.

**Recommendation:** Staff recommends that Table 5B-4: Sign Specifications and Provision in the CB-2, CB-5 and CB-10 Zones, is amended as follows:

Fascia signs	1.5 times the length of the <del>street facing</del> <u>façade building wall.</u>	--	No longer than 90% of the length of the <del>façade</del> <u>or sign band - sign wall, sign band or storefront, whichever is most applicable.</u>  Back lit cabinet signs, where the entire face is illuminated, are prohibited.  Internally illuminated plastic trim cap letter forms are prohibited.
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Approved by: \_\_\_\_\_

  
John Yapp, Development Services Coordinator  
Department of Neighborhood and Development Services



# CITY OF IOWA CITY MEMORANDUM

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**Date:** February 28, 2017 – *corrected memo and recommendation*

**To:** Planning and Zoning Commission

**From:** John Yapp, Development Service Coordinator

**Re:** Consideration of amendments to Title 14, Zoning Code, Chapter 5, Site Development Standards, Article A: Off Street Parking and Loading, to allow the parking requirement to be reduced by the Building Official in certain circumstances, and to allow modification to the structured parking placement standards for non-commercial uses.

## Introduction

At its January 31<sup>st</sup> Work Session, the City Council directed staff to develop a parking code amendment to allow for reduction of required off-street parking in limited circumstances. This request was in the context of discussing the proposed mixed-use project on the north side of City Hall, through which the Unitarian Church would be preserved. Points made during this discussion included the fact that for near-downtown locations, residents are more likely to walk to nearby destinations; there are other forms of transportation available (bicycling, public transit), there are nearby parking facilities to accommodate off-street parking, and additional forms of transportation such as shared vehicles can be induced.

## Background

The Zoning Code currently has several avenues for reducing the off-street parking requirement, including allowances for providing parking on a separate property, shared parking for uses that are not open during the same hours (such as schools and churches), exempting the parking requirement for affordable housing units, paying a few in-lieu-of providing on-site parking, and up to a 50% reduction for 'unique circumstances' through the Board of Adjustment (or up to 100% reduction through the Board of Adjustment for historic landmark properties).

Parking requirements have been modified in recent years, and in general, less parking is required the closer a property is to downtown:

	Efficiency and 1-bedroom units	2-bedroom units	3-bedroom units
CB-10	0.5	1.0	2.5
CB-5	0.5	1.0	2.5
CB-2	0.75	1.5	2.5
General multi-family zones	1.0	2.0	2.0
Riverfront Crossings – South Downtown	0.5	1.0	2.0
Riverfront Crossings – Central Crossings	0.75	1.5	2.5

Staff has been asked to evaluate a code amendment for allowing reductions in parking requirements for projects that result in the preservation of a historic landmark property, and to consider other factors such as close proximity to public parking facilities, close proximity to goods (groceries, clothing, retail), services, and existing or created alternative transportation options such as bicycling, public transit and/or shared vehicles. In general, the Comprehensive Plan supports strategies to encourage infill development where services and infrastructure are already in place.

### **Comprehensive Plan**

The IC2030 Comprehensive Plan states that:

- Support compact, contiguous development to ensure the efficient use of land and to enhance opportunities for alternatives to commuting by car (page 28)
- Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place (page 27)
- Support the Historic Preservation Commission's efforts to meet its goals (page 28)

These Comprehensive Plan policies provide the basis for the proposed code amendments in this memorandum, as the proposed amendment will allow for a reduction in parking in an area where services and infrastructure are already in place, for a development project that results in the preservation of a Historic Landmark.

### **Discussion of Solutions – Reduction in Off-Street Parking Requirements**

Staff recommends updating City Code Section 14-5A-4F(6) – Parking Reduction for Other Unique Circumstances. This code section *currently* states:

6. Parking Reduction For Other Unique Circumstances: Where it can be demonstrated that a specific use has unique characteristics such that the number of parking or stacking spaces required is excessive or will reduce the ability to use or occupy a historic property in a manner that will preserve or protect its historic, aesthetic, or cultural attributes, the board of adjustment may grant a special exception to reduce the number of required parking or stacking spaces by up to fifty percent (50%) (up to 100 percent for properties designated as a local historic landmark, listed on the national register of historic places, or listed as key or contributing structures in a historic district or conservation district overlay zone). (14-5A-4F(6))

The recommended updates to this section include adding a second section to allow the Building Official to reduce or waive off-street parking requirements in certain situations, along with factors for making the determination. These factors include:

- Preservation of a Historic Landmark
- Close proximity of public parking facilities (within 300 feet of the proposed project)
- Availability of public transit

- Availability of alternative modes of transportation such as bicycling / bicycling facilities, shared vehicles available to residents, etc.
- Proximity of good and services within a ¼ mile walk from the project (1/4 mile is a commonly used measure of easy walking distance in transportation / transit planning)

The difference between the existing code section where the Board of Adjustment has the authority to reduce the parking requirement, and the proposed second section where the Building Official has the authority to reduce the parking requirement, is that (in staff's view) in situations when an applicant is claiming their project meets the attributes to allow reduced parking, it is the Building Official who best has the ability to ensure the preservation of a historic landmark during the plan review process, and to judge whether the project is providing alternative modes of transportation, bicycle facilities, the capacity of nearby public parking facilities, etc. It is also the Building Official who can best discuss directly with applicants how their project can improve on meeting attributes to justify reductions in parking, and work directly with them during the site plan review process. Another distinction between the existing parking reduction code section and the proposed code section is that the existing code applies city-wide, while the proposed section would *only* apply in the CB-5 Zone when a Historic Landmark is being preserved.

Under existing City Code, any party aggrieved by the Building Official's decision may appeal the decision to the Board of Adjustment – this provides a public process for any aggrieved parties who disagree with the Building Official's determination.

### **Discussion of Solutions – 30' lot depth requirement for structured parking**

Currently, the City Code requires that, in the CN-1, CB-2, CB-5 and MU zones, structured parking is not permitted on the ground level floor of the building for the first 30 feet of lot depth. This code requirement is meant to ensure a minimum depth for commercial uses facing the street, by ensuring any ground-level parking is at least 30 feet back from the setback line.

The City has recently amended the CB-5 Zone to allow residential uses on the first floor. In reviewing the proposed project being planned north of City Hall, which will have townhouse-style buildings wrapping a parking facility, the parking is closer than 30 feet to the setback line (the townhouse units are less than 30 feet deep).

Given that it is not necessary for residential uses to maintain a 30-foot depth in order to be viable uses, staff recommends amending Section 14-5A-5F(1a) to allow the Building Official to allow structured parking closer than 30 feet when the ground level use is residential (see recommendations section below for specific language).

## Recommendation

1. Staff recommends amending City Code Section 14-5A-4F(6) – Parking Reduction for Other Unique Circumstances, as follows:

14-5A-4F(6): Parking Reduction For Other Unique Circumstances:

a. Where it can be demonstrated that a specific use has unique characteristics such that the number of parking or stacking spaces required is excessive or will reduce the ability to use or occupy a historic property in a manner that will preserve or protect its historic, aesthetic, or cultural attributes, the board of adjustment may grant a special exception to reduce the number of required parking or stacking spaces by up to fifty percent (50%) (up to 100 percent for properties designated as a local historic landmark, listed on the national register of historic places, or listed as key or contributing structures in a historic district or conservation district overlay zone).

b. In the CB-5 Zone, for a development project that results in the preservation of a designated Historic Landmark, the Building Official may reduce or waive the off-street parking requirement. In determining whether to reduce or waive the off-street parking requirement the Building Official will consider the availability of the following: public parking facilities within 300 feet; public transit; goods, including groceries, and services within ¼ mile; bicycle facilities such as bike racks and bike lanes; and alternative modes of transportation such as shared vehicles for residents of the project.

2. Staff recommends amending City Code Section 14-5A-5F(1a) as follows:

14-5A-5F(1a):

In the CN-1, CB-2, CB-5, and MU zones, structured parking is not permitted on the ground level floor of the building for the first thirty feet (30') of lot depth as measured from the minimum setback line, except for buildings where the ground level floor use is residential, the Building Official may allow structured parking closer to the setback line than thirty feet (30'). In the CN-1 zone it is measured from the "build-to" line.

Approved by: \_\_\_\_\_

Doug Boothroy, Director  
Department of Neighborhood and Development Services

**MINUTES  
PLANNING AND ZONING COMMISSION  
FEBRUARY 2, 2017 – 7:00 PM – FORMAL MEETING  
EMMA J. HARVAT HALL, CITY HALL**

**PRELIMINARY**

**MEMBERS PRESENT:** Carolyn Dyer, Mike Hensch, Ann Freerks, Phoebe Martin, Max Parsons, Mark Signs, Jodie Theobald

**MEMBERS ABSENT:**

**STAFF PRESENT:** Bob Miklo, Sara Walz

**OTHERS PRESENT:** Brian Gotwals, Kevin Hanick, Mark Seabold, Bob Downer

**RECOMMENDATIONS TO CITY COUNCIL:**

By a vote of 7-0 the Commission recommends approval of REZ16-00008, an application for rezoning approximately 10.26 acres located north of Scott Boulevard east of Hickory Heights Lane and First Avenue from Interim Development (ID-RS) to Low Density Multifamily (RM-12), be approved conditioned on general compliance with the concept plan showing 54 dwelling units.

By a vote of 0-7 the Commission denied approval of application CPA16-00004 an application submitted by Streb Investment Partnership LC seeking to amend the City's Comprehensive Plan to allow residential uses in commercial areas adjacent to the Industrial (I- 1 )zone located south of the Iowa Interstate Railroad and east of Scott Boulevard.

**CALL TO ORDER:**

Freerks called the meeting to order at 7:00 PM.

**PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:**

There were none

**REZONING ITEM (REZ16-00008):**

Discussion of an application submitted by Kevin Hanick for a rezoning of approximately 10.26 acres from Interim Development Single Family (ID-RS) to Low Density Multifamily (RM-12) zone for property located north of Scott Boulevard between Hickory Heights Lane and First Avenue.

Miklo began the staff report showing a map of the area under consideration for rezoning. The current zoning of Interim Development is in place because at the time the zoning pattern was established for the area there was no adequate street access. With the construction of the extensions of Scott Boulevard and First Avenue, it opened up this area with adequate infrastructure and now it is appropriate to rezone it to allow development.

The proposed zone is Low Density Multifamily (RM-12), which generally allows for 15 multifamily dwelling units per acre. Theoretically, that would allow for over a 100 units on this

property, but because of the steep ravines and woodlands that density would not be achievable. Due to that, Staff is recommending regardless of who purchases this property, it be restricted to 54 dwelling units.

Miklo noted that the Comprehensive Plan for this part of the City shows properties north of Scott Boulevard being appropriate for office research park. This land use designation was put in place with the adoption of the Northeast District Plan to recognize the presence of the ACT Campus. The text of the Plan notes that the amount of land designated for office development may be unrealistic and that alternative uses including residential, specifically multifamily residential, should be considered for this area.

The text of the Plan also encourages a diversity of housing. Townhouse and small apartment buildings are proposed at the edges of neighborhoods, where slightly higher density housing can take advantage of being located near major arterial streets, such as First Avenue and Scott Boulevard. Therefore, Staff believes that multifamily rezoning would comply with the Comprehensive Plan.

Miklo said that regarding neighborhood compatibility it is staff's opinion the proposal is compatible with the neighborhood in terms of land use. The area to the north and east contains the ACT campus. The ravine and woodland provides a significant buffer between the proposed residential buildings and ACT. The Northeast District Plan shows the possibility to two apartment buildings on the south side of Scott Boulevard just to the south of this proposal), and single family homes farther to the south. The properties to the west and east both contain wooded ravines with protected slopes and will not be developed. The proposed RM-12 zoning will be compatible with the area.

Miklo stated staff also looks at traffic implications when reviewing a rezoning proposal. The current streets of Scott Boulevard and Dodge Street have more than sufficient capacity to handle the traffic they anticipate would be generated by a project of this size. Transportation Planners estimate that this proposed development will generate approximately 350 vehicle trips per day. There is concern that at the intersection of Scott Boulevard and First Avenue. It is currently a four-way stop and would likely need to be improved to include a traffic signal, or a traffic circle, to improve traffic flow in that area. Miklo said the Capital Improvement Plan includes a project to address the intersection.

Miklo discussed the sensitive areas on the property, and that some of the woodland ravine would need to be cleared for stormwater management for this development. The City Engineer is still working with the applicant on the stormwater management plan. Staff does not anticipate an issue with the sensitive areas provisions for this area. However, if more than 80% of the woodlands are proposed to be disturbed, or more than 35% of the critical slopes are proposed to be graded, or there is any disturbance of the protected slope buffers, a rezoning for a sensitive areas Planned Development Overlay (OPD) will be required.

Staff recommends that this application, rezoning approximately 10.26 acres located north of Scott Boulevard between Hickory Heights Lane and First Avenue from Interim Development (ID-RS) to Low Density Multifamily (RM-12), be approved conditioned on general compliance with the concept plan showing 54 dwelling units.

Parsons asked if all the current structures on the property would be removed. Miklo replied that yes, the property current contains a residence and storage or farm buildings. If this proposal

moves forward, the applicant will buy the property and the current homeowner will build a new house on the northern panhandle of the property, that is already zoned single family.

Freerks opened the public discussion.

Brian Gotwals (architect Shive Hattery) is working with Kevin Hanick to develop the concept for this site. The idea of this project is to maintain the natural character of the site and that resulted in a proposal with three principle buildings that are nestled close to the tree lines with a communal space in the center. Additionally keeping with the character of the property the driveways will be designed to wrap around and not cut into the tree lines. There will be three buildings, the two buildings on the right will be connected by a subgrade garage level. The short faces of the buildings are 60 feet wide, and that is what faces Scott Boulevard, rather than the principle masses of the buildings. Gotwals showed renderings and images of the proposal from various aspects. The buildings are three stories and will have 54 units total. Gotwals noted that there was discussion about the vehicular entry, particularly to the building on the right, and a recommendation that the garage door entrance be placed on the west face of the building. Gotwals stated that may cause issues, it would require a 90 degree angle turn to leave the garage, it will cause a loss of some parking spaces, and will increase the slope of the driveway. Gowals said they would like to work with the City to create some type of a visual buffer for the garage entrance instead.

Dyer asked the length of the two long buildings from the parking lot to the far south end. Gotwals said that each of the buildings are 185 feet long, the center communal space is 50 feet. The building on the left is 258 feet long, but again the portions of the buildings that face Scott Boulevard are 65 feet long. Dyer asked if it were level and Gotwals said it will be level for a good portion of it but they will need to maintain some of the natural swales for stormwater management. Dyer noted her concern for accessibility for handicap visitors. Gotwals said the walkways will all meet the ADA accessible guidelines.

Hensch asked about the issue with the parking entrance. Miklo said that to comply with the Multifamily Site Development Standards, garage entrances are not allowed to face the street. This Standard was created for urban areas where it is undesirable to have a large curb cut and a blank garage door up against the sidewalk in a walkable neighborhood. The applicant can apply for approval of a minor modification from the Design Review Committee to allow an alternative design that does not strictly meet the standard. Miklo noted in this situation this is not an urban setting, there will be considerable open space between the garage and the street, so the effect of having a garage door right on the street is not as significant. But it will have to go through the minor modification process.

Hensch asked if the goal was to retain most of the stormwater on site, which Gotwals confirmed, Hensch asked if there was a percentage that would be directed off to the ravine to the east. Gotwals said it would be a single-digit percentage.

Kevin Hanick (88 Hickory Heights Lane) noted his love of living in this part of town, he had originally thought he would want to move downtown but because of costs and accessibility. He feels this proposal is a great location, very accessible to downtown, the interstate, parks and shopping needs. These units will be built for sale, not rentals, and each unit will have two dedicated underground parking spaces. Hanick reached out to Shive Hattery because he was impressed with their work on the latest addition of Oaknoll on Benton Street with the underground parking and apartment style facility. All units will be one level, minimum of two bedroom, two bath. The target audience is working professionals or empty nesters/retirees.

Parsons questioned the north garage entrance on the western building and if there was consideration of having a garage entrance on the north side of the other building as well to alleviate the code concern about the south entrance to the garage. Hanick stated that coming out of that side of the building would be a steep incline.

Hanick also mentioned originally the design had units above the common area that joins the two buildings, and the common area is important because they will be marketing the units as a community.

Martin asked for clarification that this is not being built as a 55 and over complex. Hanick confirmed it is not, it's being designed similar to Oaknoll, but for anyone. The common space is to bring people together, perhaps for music or readings, and other activities to build a sense of community.

Mark Seabold (architect Shive Hattery) stated that working with Hanick in developing this concept it has been important to take advantage of the beautiful property, the views, etc. It is about quality of life and not maximizing density, and to not sacrifice the feeling of community and nature that will be seen in this project.

Freerks closed the public discussion.

**Hensch moved to approve the application for rezoning approximately 10.26 acres located north of Scott Boulevard east of Hickory Heights Lane and First Avenue from Interim Development (ID-RS) to Low Density Multifamily (RM-12), be approved conditioned on general compliance with the concept plan showing 54 dwelling units.**

**Parsons seconded the motion.**

Freerks noted this sounds like a wonderful addition to the area and community. It has been presented nicely and it is encouraging to see the thought and care that has gone into the planning.

Theobald and Dyer agreed and both commented on how nicely the project will preserve the surrounding nature and landscape.

Signs added that he hopes the staff committee regarding the parking issue will look favorably on this project and it can be screened effectively with some trees or berming.

**A vote was taken and the motion passed 7-0.**

#### **COMPREHENSIVE PLAN ITEM (CPA16-0004):**

A public hearing for an amendment to the Comprehensive Plan to change the language in the Comprehensive Plan to allow residential uses in the commercial zones south of Iowa Interstate railroad and east of Scott Boulevard located in Scott-Six Industrial Park.

Walz noted these are the properties in the Scott Six Industrial Park that are located west of the creek, along Scott Boulevard, are zoned Intensive Commercial (CI-1). Properties west of the creek and east of Commerce Lane, are zoned Community Commercial (CC-2). This includes the properties occupied the Fareway grocery store and Sinclair Gas. Residential uses may be

located above commercial in the CC-2 zone with special exceptions but are prohibited in the CI-1 zone all together. If the Commission recommends to Council, and Council approves, this Comprehensive Plan amendment it could possibly permit a rezoning for those properties to CC-2 along Scott Boulevard. The nearest residential zones are located one half mile to the north (a manufactured housing park located outside City Limits) and one-half mile to the southwest (Saddlebrook).

As mentioned, the current zoning code allows residential uses to be located above ground floor commercial in the Community Commercial (CC-2) zone by special exception only. About a year ago the applicant applied for a special exception to allow for residential above these properties and Staff recommended against that due to references in the Comprehensive Plan/Southeast District Plan that call for the separation of industrial and residential uses. Walz explained there is a history with the industrial uses creating noise, traffic, vibrations and odors that generate complaints from residential zones, particularly the ones north of the railroad tracks. There are also some safety concerns with large trucks and the isolation of this area. This is the only part of Iowa City that is zone specifically for industrial, and as other areas of Iowa City develop (such as Riverfront Crossings) industrial uses may be relocated to this area. There is also concern about residential traffic interfering with industrial operations as well as residents trespassing across sites.

Walz reiterated that both the Comprehensive Plan and the Southeast District Plan make mention of these concerns and throughout both the Industrial and Housing sections of the plan call for separation and buffering between industrial and residential uses. With regards to the East Side Growth Area, this property has been zoned for first, industrial then quasi-industrial uses and then commercial uses for some time. There is not a lot of traffic out in this area right now, but with the location of the new eastside elementary school (in the eastside growth area) they do anticipate more residential uses being developed north of the railroad. Higher density residential uses are contemplated for the American Legion Road and new school area. Farther to the east along Taft Avenue, there is a plan for a park to run across Snyder Creek to act as a buffer for the residential from the industrial. The goal of the Comprehensive Plan is to direct new residential areas into areas that are contiguous with existing residential areas.

Signs asked Walz to explain the General Employment/Institutional area of the Comprehensive Plan map. Walz said that was an area that was to be set aside for a large commercial office use or a use such as a church or school. This map was created prior to the new eastside school location being decided.

Hench asked if the zoning to the west of Scott Boulevard was industrial as well and Walz confirmed that it is also zoned industrial.

Freerks opened the public hearing.

Bob Downer (attorney for Streb Investment Partnership, LC) stated it appears to be somewhat of an uneven standard being applied here because there are other places in Iowa City such as Riverside Drive where the level of truck traffic is at least as heavy as it is at this property. On one hand, they are told there is not enough activity to justify residential in this area and on the other being told there is too much traffic. Therefore this application is not being looked at objectively. Downer stated that if the Comprehensive Plan amendment is approved that would not automatically allow apartments to be constructed over first floor commercial space in this area, it would still require a special exception. So there are other processes in place that are required to be pursued by an applicant.

Downer said that he had represented the developer when this property was developed into industrial and commercial in 1997 zones. The industrial area has sold out more quickly than the commercial, and a strong effort has been made to sell the commercial to single-level buildings but has not reached market acceptance. There is retail in the area with the Fareway grocery store and a convenience store. Downer stated there are criteria with respect to the Comprehensive Plan that are met and reasons such as close proximity to places of employment. The applicant urges this application to be approved so the property can be fully developed to provide housing opportunities for people who are employed in the area. Development south of Highway 6 (as mentioned in the Staff report) poses a major deterrent to people and a safety risk.

Freerks closed the public hearing.

Freerks noted that Staff is recommending denial of the application, but any motion should be made in the affirmative.

**Hensch moved for approval of application CPA16-00004 an application submitted by Streb Investment Partnership LC seeking to amend the City's Comprehensive Plan to allow residential uses in commercial areas adjacent to the Industrial (I- 1)zone located south of the Iowa Interstate Railroad and east of Scott Boulevard.**

**Theobald seconded the motion.**

Signs asked if there was a sidewalk in this area on the east side of Scott Boulevard, as we should be looking for the walkability of all areas that are developing within the city. Walz responded that there was not a complete sidewalk network.

Freerks noted this is important space in the Community and serves a purpose. And while there is value to having housing close to employment, there are certain areas where residential just don't work, which includes industrial, and there are already problems with smells and sounds from this area for the residential areas a half mile away. Freerks stated it would be premature to make this change before seeing how this area develops out, and any change at this time would go against the Comprehensive Plan as it is currently laid out.

Martin stated the transition would be very abrupt whereas the Commission would rather see a more gradual transition from industrial to commercial to residential.

Theobald noted that there is also limited industrial zoned land in the community and this amendment would add to the loss of such space.

Signs can appreciate the developers desire to find some product that would work on the land, but residential makes no sense in that area. The City has spent a lot of money to develop this industrial area and there is a difference with having housing close to work versus in the middle of work.

Parsons echoed Signs and that there would not be a sense of community here, rather the residential would be isolated.

**A vote of 0-7 was taken and therefore the motion was denied.**

**CONSIDERATION OF MEETING MINUTES: JANUARY 19, 2016**

Theobald moved to approve the meeting minutes of January 19, 2016 with minor edits.

Hensch seconded the motion.

A vote was taken and the motion passed 7-0.

**PLANNING AND ZONING INFORMATION:**

Freerks thanked Staff for organizing the work session earlier in the evening to view Jeff Speck's presentation on "Toward a More Walkable Iowa City".

Miklo asked the Commissioners to mark their calendars for February 14 & 15 because Dan Parolek, a consultant for the exploration of applying form-based codes will be in town. There will be a session on the 14<sup>th</sup> at 5:30pm at the Library and on the 15<sup>th</sup> at 6:00 pm at the Alexander Elementary School. The session at the Library will focus on the Northside and older neighborhoods and the session at Alexander will be on the South District.

**ADJOURNMENT:**

Theobald moved to adjourn.

Martin seconded.

A vote was taken and motion carried 7-0.

**PLANNING & ZONING COMMISSION  
ATTENDANCE RECORD  
2016 - 2017**

	2/19	3/3	3/17	4/7	4/21	5/5	5/19	6/2	7/7	7/21	8/4	9/1	10/6	10/20	11/17	12/1	12/15	1/19	2/2
<b>DYER, CAROLYN</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>FREERKS, ANN</b>	X	X	X	X	X	X	O/E	X	O/E	X	X	X	X	X	X	X	X	X	X
<b>HENSCH, MIKE</b>	X	X	X	X	X	X	X	X	X	O/E	X	X	X	X	X	X	X	X	X
<b>MARTIN, PHOEBE</b>	X	X	X	X	X	X	X	X	X	O/E	X	X	X	O/E	X	O/E	X	X	X
<b>PARSONS, MAX</b>	X	X	O/E	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>SIGNS, MARK</b>	--	--	--	--	--	X	X	X	X	X	X	X	X	X	O/E	X	X	X	X
<b>THEOBALD, JODIE</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

KEY: X = Present  
O = Absent  
O/E = Absent/Excused  
--- = Not a Member